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8 Attorneys for Defendant
9 DAVID RAY HERNANDEZ

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 vs.

16 DAVID RAY HERNANDEZ,

17 Defendant.

CASE: CR 07-00506 JW
CR 07-00508 JW

STIPULATION TO CONTINUE
DATE SET FOR JUDGMENT
AND SENTENCING, AND
[proposed] ORDER THEREON

18 ITS IS HEREBY STIPULATED, by and between THOMAS M. O'CONNELL,
19 ESQ., attorney for the UNITED STATES OF AMERICA, and JERRY Y. FONG, ESQ.,
20 counsel for Defendant DAVID RAY HERNANDEZ that the date set for judgment
21 and sentence which is currently set for Monday, April 28, 2008, be continued
22 to Monday, June 2, 2008, at 1:30 pm.

23 Counsel for Defendant HERNANDEZ has been in a federal civil trial for the
24 past three days and in preparation for said trial during the week preceding, so
25 he has been unable to properly prepare for the sentencing hearing on Mr.
26 HERNANDEZ, including meeting with the Defendant.

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1 In this regard, defense counsel has contacted the probation officer, Ms.
2 Lori Timmons, and she has no objection to this continuance.

3 IT IS SO STIPULATED.

4
5 DATED: April 25, 2008

CAREY & CAREY

6
7 /s/
8 JERRY Y. FONG, Attorneys for
9 Defendant DAVID RAY HERNANDEZ

10
11 DATED: 4/25, 2008

UNITED STATES OF AMERICA

12
13 /s/
14 THOMAS M. O'CONNELL,
15 Assistant U.S. Attorney

16
17 ORDER

18 GOOD CAUSE APPEARING THEREFORE, it is hereby ordered, adjudged,
19 and decreed, that the judgment and sentencing of DAVID RAY HERNANEZ
20 currently set for April 28, 2008, be continued to Monday, June 2, 2008, at 1:30
21 pm.

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23
24 DATED: _____, 2008

25 HON. JAMES WARE
26 U.S. DISTRICT COURT JUDGE
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